

To: Justin Davis[justin_davis@ios.doi.gov]
From: Cafaro, Cindy
Sent: 2017-10-10T08:43:32-04:00
Importance: Normal
Subject: Fwd: Request for Assistance
Received: 2017-10-10T08:44:09-04:00

The string Carrie briefly referred to.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

----- Forwarded message -----

From: **Cafaro, Cindy** <cindy_cafaro@ios.doi.gov>
Date: Mon, Aug 14, 2017 at 1:21 PM
Subject: Re: Request for Assistance
To: "Hyde-Michaels, Carrie" <carrie_hyde-michaels@fws.gov>

Hi, Carrie. I agree completely with you on the "near duplicate" issue (if something changes, even few commas in a draft, it is a new document and we need to process it as such, assuming it is responsive).

As for the hypothetical:

I agree that if you receive multiple attachments for processing that are truly exactly identical, it is fine to process/provide them once.

As for the emails that "John" sent (the 10 copies in your hypothetical), we should ask people to search and provide them (assuming, of course, that the request is not just asking for John's communications on this matter and that the people would otherwise be part of the reasonable search process). The reason for this is while John's version has everything he sent, it will not (of course) have the follow ups the recipients may have created. (For example, John sends the email to ten people, including Sue. Sue forwards the email, with commentary, to Susan and Jim, who go on to have a lively discussion about it.) If the emails that are sent back to you are truly identical (for example, 9 people simply received John's email and never did anything with it), it would be OK to remove the duplicates from the processing stack, but if it is too time consuming and difficult to deduplicate the messages manually and you process the received copies because it's easier than trying to locate and remove them, that is OK too.

In both of these situations (i.e., when there are identical attachments and/or identical emails that we don't process), we should explicitly tell the requester in our response letter that there were exact duplicates of some of the responsive records and we didn't process them. This will save time for everyone (and possibly money for the requester). If they later ask us to process the exact duplicates, however, we will need to do so.

Thanks.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

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On Fri, Aug 11, 2017 at 1:50 PM, Hyde-Michaels, Carrie <carrie_hyde-michaels@fws.gov> wrote:

I will give those suggestions a try. One more question first - on the search issue, do we have a good definition anywhere of what constitutes a duplicate? I think there is confusion on that point and clearing it up could help.

I think of it as "near duplicate" (needs to be produced) and "exact duplicate" (can be eliminated.) An example of a near duplicate is a draft that only has one or two words changed from the last version. Almost the same, but because there has been a change, it's not an exact duplicate, and we do need to process it. An exact duplicate might be an attachment that John emailed to 10 people - we would process all 10 of the emails, but only provide one copy of the attachment because the rest of the attachments were exact duplicates.

Does that sound correct to you?

So then thinking about the email John sent - they are thinking that if John sent the email to 10 people, the only document that needs to be produced is the one he sent, and the 10 copies people received are duplicates that can be eliminated. I don't agree with that, I was always taught that the attachments to that email were duplicates, but that the copies each person received needed to be processed.

If that also sounds correct to you, is there good reasoning for why each recipient's copy of that same email needs to be processed? Or do we just do that because it's so time consuming and difficult to deduplicate the messages manually and we process the received copies because it's easier than trying to locate and remove them?

Thanks,

Carrie Hyde-Michaels
FWS FOIA Officer
Chief, Branch of FOIA, Records, Privacy
US Fish & Wildlife Service Headquarters
703-358-2291 (direct)

On Fri, Aug 11, 2017 at 12:03 PM, Cafaro, Cindy <cindy_cafaro@ios.doi.gov> wrote:

((b) (5))

(b) (5)

Thanks.

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Direct: 202-208-5342 | Main: 202-208-3181

On Fri, Aug 11, 2017 at 10:59 AM, Hyde-Michaels, Carrie <carrie_hyde-michaels@fws.gov> wrote:

(b) (5)

(b) (5)

Thanks,
Carrie Hyde-Michaels
FWS FOIA Officer
Chief, Branch of FOIA, Records, Privacy
US Fish & Wildlife Service Headquarters
703-358-2291 (direct)

----- Forwarded message -----

Date: Fri, Aug 11, 2017 at 10:06 AM
Subject: De-duplication up front
To: Carrie Hyde-Michaels <carrie_hyde-michaels@fws.gov>

Carrie.

(b) (5)

(b) (5)

Thanks,